VISION WERE UNANIMOUS. Law May He Odious, Unwise, Unjust, Absurd, Oppressive, and Constitutional, and This One Is Constitutional As Appeal Can't He Heard Until the End of May, The Appellate Division of the Supreme Court

handed down yesterday a decision upholding the constitutionality of the Raines Liquor Tax law on every point. The case before the court was the attempt of Fred O. Einsfeld, a liquor dealer, to make the Excise Board give him a Heense good for a year.

The grounds of attack on the law were that,

as a tax law, it is not uniform: that in its un-equal penal provisions it is unjust and oppressive; that it disposes of State moneys for local purposes, and was not passed by a two-thirds vote of the Legislature; that it attempts to make a classification of cities other than that provided in the Constitution, and that, in its discriminating provisions, it is a special city aw, and invalid without the approval of the Mayors of cities.

Justice Patterson wrote the opinion, and it was concurred in by the other four members of the court. It save:

"The subject presented for our considera tion is the constitutionality of the law. The law has been severely arraigned in argument as offending against justice and reason. It may be as unjust, unwise, oppressive, and odious as the relator claims, but all that does not help in the solution of the question before us, and we have no opinion to express on that subject. The Court of Appeals has said:

"No law can be pronounced invalid for the reason simply that it violates our notions of justice, is oppressive and unfair in its operation, or because, in the opinion of some or all of the citizens of the State it is not justified by public necessity or designed to promote the public welfare. If it vio-lates no constitutional provision it is valid and must be obeyed. The remedy for unjust or unwise legislation not obnoxious to constitutional objecons is to be found in a change by the people of their representatives according to the methods prowided by the Constitution."

The court say that if the sole or main purpose of the law were to rulse revenue the court might consider seriously the point presented relative to the limitations on the State's "But," say the court, "those and kindred suggestions seem to have no real place in the discussion connected with the

place in the discussion connected with the particular enacument now before us. Although by its short title it is called 'the Liquor Tax law,' and although it designates the money paid for the privilege of dealing or trading in liquers in quantities of less than five gallous, a 'tax,' yet the whole score, purpose, and intent of the law is, as its ruller title expresses, 'an act in relation to the traffle in liquors, and for the taxation and regulation of the same, and to provide for local option.' The body of the act conforms to the object stated in the title. A system regulating the traffle in and through the State is created and instituted. It is primarily and essentially an exercise of the police power of the State over a particular trade or business, which from early times has been made the subject of State legislation.

early times has been made the subject of State legislation.

"It is within the competency of the State to interdict all traffic in liquors within its boundaries. That is admitted. The Legislature having such an extreme power, may exercise the lesser one of regulating the traffic. It may make such regulations and put such trammels upon the traffic as seem to be expedient or necessary to the safety, the welfare, or the protection of the people. In undertaking to do so by the enactment of a general law which shall control the whole traffic in each and every part of the State, it may recognize local differences and needs, and make special provision therefor. If diversity arises thereform in the application to particular localities of any of the incidents of the law, the Legislature is not incompetent to authorize that diversity. It is part of the general scheme. It arises from the necessity of treating local conditions and situations as they are found, and from the recognition of patent facts, such as that there are striking differences between the retail traffic in liquor in a great metropolis and in a remote rural neighborhood or even in separate parts of the rame municipality, and that disproportion must of necessity be allowed for in the impost exacted for the privilege of engaging in such traffic in each of such places.

"Taxation is but an incident—but one and that not the chief, although a necessary element of the legislation. Regulation of the traffic is the fundamental purpose of the law. The taxes are not levied upon persons nor upon property, for a license is not property except in a qualified sense and as it is made so by the terms of operation of a statute, and the taxes upon the business of trafficking in liquor," and hence a mere incident to the regulation of that business. It is all within the police nower of the State, exercised for the supposed general welfare; and the power to regulate must of necessity include the power to license or tax. Nor does the want of uniformity of punishment for the vid legislation.
It is within the competency of the State to

trary, they are expressly and specifically declared to belong to the town or city in which the traffic is carried on.

"The constitutional classification of cities has reference only to laws relating to the property, affairs, or government of cities, and it is only with reference to that kind of laws that the classification is effectual or material. The act in question is not one that can be said to relate to either of these things. It is purely a matter of State government, and is a general law upon that subject, and is not, as we think, at all within this provision of the Constitution. It is no more a special city law because it abolishes the office of Excise Commissioner in the city of New York than would be a law abolishing the office of Coroner."

The order in the case was settled yesterday afternoon, and Lawyer Untermyer gave notice that he would take an immediate appeal to the Court of Appeals. That court cannot well hear the case before the third Monday in May.

The old Excise Commissioners were rather glum when first informed of the decision of the court. They indulged in a little joking later.

"I've lost a job, but I've won a hat," was the comment of President Murray.

"But thick of me." said Attorney Mayer.

"You'd have lost the job any way," said Commissioner Woodman. "You don't suppose we would have kept an attorney who was so poor a lawyer as to be beaten in a case like that."

The old Commissioners decided yesterday to bleense no more new places and referred applicants to Special Deputy Commissioner Hillard. They all agreed, too, not to stand in the way of any of their employees who desire to be transferred to Col. Lyman's department. Commissioner Harburger withdrew his objection, saying that he had objected before simply because be believed the law would be declared unconstitutional and that the employees would be needed.

A FICTORY FOR WORTH. His Men Appelnted on the Excise Staff in Brooklyn.

The action of State Excise Commissioner Lyman in setting aside the recent subordinate appointments made by Col. Harry W. Mi-chell, the deputy Commissioner in Brooklyn, and making new ones, has proved a surprise to the Republican statesmen across the bridge. All the new men whom Mr. Lyman has named belong to the Worth-Buttling faction, while Col. Michell's appointees were of the "Ad-

Col. Michell's appointers were of the "Administration" type.

The maning of George S. Buttling, a brother of the Sheriff; John Worth, a cousin of the exSenator, among the special agents, and Heary A. Hamburg, is regarded as a direct recognition by the State machine of the Worth-fluttiling faction. Mayor Wurster and his friends
felt very sore over the turning down of the Michell slate, and they had a secret conference yesterday afternoon for the purpose, it is said, of discussing means to avert further disaster to their side.

Col. Michell had no criticism to make over the action of his chief, but admitted that polities was at the bottom of it. He said: "I simply recommended certain names to Commissioner Lyman, and he did not approve them. The political situation has changed within a short time, and it was necessary for the good of the party that the approximants should be changed."

Col. Michell denied the rumor that he had any intention of resigning his place. He relations with Commissioner Lyman, he said, were of the most friendly character and were in no way disturbed.

No Indictments in Brooklyn Because of the Raines Law.

The failure of the Brooklyn Grand Jury to hand down any excise indictments yesterday was a surprise to District Altorney Backus. More than thirty cases of alleged flagrant violation had been brought to the attention of the Grand Jury, and Mr. Hackus fully expected that the most of them would be tried. Since the new law went into operation five weeks ago, only two saloon keepers have been indicted.

& Schoole, Insures Natural Strengthening bleep. New system. Healthful. No drugging. \$5.00. Pharmacists will have it, or write Recuper Co., box \$5.13, P. O., Boston, Mass.—Adv.

GEORGE MUNRO DEAD. The Head of the Publishing House Dies

Suddenly of Heart Disease George Munro died suddenly on Thursday norning at Pine Hill in the Catskills, whither he had gone to superintend repairs and improve-ments on his country home. He fell dead on the road between the late Dr. Howard Crosby's house and his own, while walking from breakfast to the place where his men were engaged at

A medical examination showed that heart disease was the cause of death. A telegram was immediately sent to Mr. Munro's family, and yesterday the body was brought to this city, and is now at his late home, 15 West Fifty-seventh street. The burial will take place at Greenwood

cemetery on Monday morning.
George Munro was born in Nova Scotia on Nov. 12, 1825. By dint of his own efforts he received the best education the province afforded, and from 1850 to 1856 he was instructor in mathematics in the Free Church College in Halifax, N. S., completing at the same time a course in theology. But he was not destined ever to occupy the pulpit. He came to New York in 1850, with only a few hundred dollars

His first employment was with the American News Company at a very small salary. His work and his early education set nim thinking work and his early education set nim thinking of the problem of chean and yet good literature for the masses. After a small preliminary vonture with a series of chean novels he statted, in 1807, the Freshle tomponon. This was followed in 1877, by the Sensiel Library, the first numbers of which, in the order of their appearance, were "Last Lynnie," "John Halifax," "Jane Eyre," "A Woman Hater," "The Black Indies," "The Last Days of Pompeli," and "Adam Bede," Mr. Munroe became rich as a result of these ventures. He endowed professorships in Dalhousic College, Halifax, and made gifts to it for scholarships and other purposes, so that his total benefactions to that institution exgregated nearly \$500,000. He was also a benefactor of the New York University, of which, at the time of his death, he was a member of the countuit. Mr. Monroe was an ardent Presbyterian, and his donations to church objects were large. He was a member of Dr. John Hall's church, Mr. Munro leaves a widow and four children, two sons and two daughters. The former are engaged in the publishing business in the firm of tieorge Monro Sons. Of the daughters, the younger is unmarried, and the other is ne wife of President Schurman of Cornell University.

Oblimary Notes.

Mrs. Angelica Livingston Hamilton, widow of Alexander Hamilton, died on Wednesday at the residence of one of her nieces. In Washington square. Mrs. Hamilton was born in Staatsburch, Dutchess county, in 1826. Her mailen name was Livingston, and she was a granddaughter of Francis Lewis. Her husband, who died in 1889, was grandson of Alexander Hamilton the great, and a son of Col. James Alexander Hamilton of this city. Mr. Hamilton was a graduate of West Point, but was a lawyer by profession. He was Secretary of the American Legation at Mailrid when Washington Irving was the American Minister there. At the outbreak of the civil war he became a member of the staff of tien, John E. Wool, Mr. Hamilton was the founder of the Knickerbocker Club, a trustee of the Astor Library, and was at one time Secretary of the Society of the Cincinnati. During the latter part of his life he lived on his estate. Nevis, at Irvington-on-the-Hudson, and here Mrs. Hamilton had long been accustomed to spend the summer months. Mrs. Hamilton was prominent in charitable work and was a member of the Board of Managers of the Hellevier Training School for Nurses, She was connected by blood and marriage with many of the most prominent familles in the city. Her foneral will be held at Nevis, Irvington-on-the-Hudson, at noon to-day. She left no children.

David H. Jerome, ex-Governor of Michigan, died yesterday at Watkins Glen, N. Y. He had

ton-on-the-Hodson, at noon to-day. She left no children.
David H. Jerome, ex-Governor of Michigan, died yesterday at Watkins Glen, N. Y. He had been in ill health for a year and a half. A wildow and one son survive him. Mr. Jerome had been a sallor, miner, merchant, lumberman, raliroad contractor, legisiator, Governor, a member of the State Constitutional Commission, and an Indian Commissioner. He was born in Detroit in 1879. He went to California with the forty-niners, and returned with a moderate fortune and established himself in business at Saginaw th 1853. He built the Saginaw Valley and St. Louis Railroad, and was its President and manager until it was merged into the Detroit, Lansing and Northern system. He was a member of the State Senate for six years. In 1873 he was appointed a member of the Constitutional Commission and two years later he was appointed an Indian Commissioner by Fresident Gran; He was elected Governor in 1880 and served a two years' term, being defeated for relection.

election.

Henry S. Topping was found dead in bed yesterday morning at the home of his brother, William Topping, in the Audubon, Broadway and Fortieth street. The cause of his death was bright's disease. Mr. Topping was born in this city, and was 42 years old. He was associated with his brother for many years in the firm of William Topping & Co., dry goods auctioneers, at 48 Walker street. They were at one time the Sheriff's auctioneers of dry goods. Recently, Alexander R. Baxter & Co. succeeded to the business of the firm, and, since that time, Mr. Henry S. Topping had been in the insurance business. He was not married.

James A. Dey died yesterday at his home, 7

business. He was not married.

James A. Dey died yesterday at his home, 7.

Greene avenue, Brooklyn, aged 58. He had been the sexton of the Brooklyn Tabernade most of the time that the Hev. Dr. Talmage was pastor, and after the burning of the last church he resumed his trade of carpenter. His friends said that he never fully recovered from the shock attending the big fire. He was a leading member in the Anglo-Saxon Masonic Lodge.

Ezra Beamon Newton, the oldest Shaker in the country, died of old age at the Harvard, Mass., community on Thursday, aged 101. He was born in Paxton, Mass, When he was a year was born in Paxton, Mass. When he was a year old his parents moved to Boylston. He became a prosperous farmer there and was happily married, but in 1548 became converted to the Shaker faith, left his wife and children, and joined the Harvard settlement.

CUBANS ROUTED-PERHAPS

More Official Reports of Signal Spanish Victories,

HAVANA, April 24.-Official despatches say hat Col. Aldea, while in pursuit of Cuban bands, encountered several small parties on the Carmen estate, near Sabanilla, province of Matanzas. The Cubans were fleeing from an attack by the Rey column. The troops charged on all sides, forcing the Cubans to take refuge in the cane fields, which were burning. Many Cubans perished in the flames which they themselves had started. The troops continued pursuit, and killed many Cubans. Tweny-three dead Cubans were left behind. Other than Government authorities assert that the affair Government authorities assert that the affair was similar to many others in which unarmed men were killed. The official report says that the troops lost one man killed and one wounded. Col. Frances reports that Cubans fred upon the rear guard of his line near Mariel, but retreated as soon as the troops returned the fire. Capt. Medina Lajas, with a force of guerrillas, together with the forces of Vizcava, dislodged the enemy from the estate of Estrella, near Clenfugges, of which the Spanish troops took possession. The Cubans lest twelve killed and the troops lost one wounded.

PATRIOTS WEAKEN, WEYLER SAYS.

He Therefore Invites a Few of Them to Enjoy His Clemency. MADRID, April 24. - A despatch to the Imparold says that Captain-General Weyler has issued a proclamation saving he is informed that the insurgent bands in the Pinar del Rio province are discouraged, but have not sought the clemency of the Government, fearing that they would be shot if they should surrender. The proclamation, therefore, is issued to inform these men that full perion will be granted to all who come into dievernment lines and surrender within twenty days.

Dygert's Release,

WARRINGTON, April 24. Secretary Olney has eceived a cablegram from Consul-General Williams at Havana confirming the news that Walter Grant Dygert the young American in whose behalf the Illinois delegation in Congress had taken so much interest, has been released from the prison in Guines. He will start for the

COL. CRUGER A DEFENDANT.

Heirs of One of the Men Killed on His

Yacht Want \$5,000 Damages The trial of the suit of Public Administrator Davenport in behalf of the father and mother of the late James (iii), who live in Ireland, against ol. S. Van Rensselaer Cruger for \$5,000 damiges is on trial in the Supreme Court in Broos-yn. The suit grew out of the explosion on Col. ages is on trial in the Supreme Court in Brook-tyn. The said green out of the expission on Col-truser's steam yields, the Adiagra, off Glen Island on Sept. 14, 1888, which resulted in the killing of Freman Gill and Engineer M. C. Ben-nett. It is declared that the boiler was unsafe and had not been properly inspected. The sait was begun before the limit in sitch cases was raised to \$50,000; otherwise the damages would have been placed at a higher figure.

WASHINGTON, April 24. Comptroller Eckels has been advised that the Grand Forks National hank of Grand Forks, N. D., failed to-day. Its statement showed its assets at \$800,000. The bank's capital is \$290,000, and it owes depositors and other banks \$300,000.

IT IS NOT THE BOTT STRAD. THE ARTICLE PRODUCED ON FLECH-

TER'S TRIAL A " FARE." oth Sides Agree on That-The Question is Whether or Not It's the Instrument Firehter Had with Him When He Was Arrested-Bours Labels in the Trade.

Recorder Golf decided to hold a night seaion yesterday in the trial of Victor S. Flechter n the General Sessions for having in his postradivarius. He said that counsel were too prolix. The wrangles between Assistant District Attorney Osborne and Lawyer Palmer for Flechter continued all through the day. John Friedrich, a violin maker and dealer. testified for the defence that he recognized the violin produced by the defence the which has figured heretofore as the Bot Strad as one which Charles Palm brought to him to be repaired in 1883. Palm had pre-viously testified that he bought the instrument from August Gemuender. Friedrich said the violin was the same instrument that was produced in the police court when Flechter was arrested. About the same time Mr. Palm rought his violin to be repaired. Prof. and Mrs. Hott brought their Strail to his store fo repair. There was a crack in the belly of the riedrich said he made a design of the Bott

Bott violin.

Friedrich said he made a design of the Bott violin while he was repairing it. He produced a nicce of brown paper which he said was an exact pattern of the onper part of the Bott violin. The pattern was measured with the violin. The pattern was measured with the violin produced by Flechter, and came a quarter of an inch short of the violin's width. The violin in court was not a Strait, the witness said, but was made by Nicola.

Mr. Palmer asked that the beiny of the fustrument be taken off to show that the Nicolabrand had been scraped off and the Stradivarius label put over it. Mr. Osborne objected and said:

"We concelle that no part of the instrument in court is like the Bott Stradivarius except the scroll."

"Oh, is that so?" exclaimed Mr. Palmer.

He then asked Friedrich if the scroll on the violin was a Stradivarius scroll. The expert said it was not.

Oscar Schildbach, a violin repairer who was in the employ of Flechter, testified that in August, 1863, he repaired the violin in court. It was not a Strad. He scraped off the misker's name at the direction of Flechter. He would not swear, however, that he had put the Stradivarius label on, although he might have done so. He said it was a common custom to put Strad labels on the backs of violins, and he had put more than 1,000 of them on instruments. He said in such cases old taper was used to carry out the idea that the violin was a sged one.

was used to carry out the idea that the viol

Stradivarius.
Victor M. Abraham, a relative of the defend-ant, testified that he was present in the Jeffer-son Market Folice Court when the violin was produced there. Mrs. Bott was the first to handle it. He identified the violin in evidence as the same one that had been produced in the

police court.
Henry W. Mayer, a clerk in Hondly, Lauter-bach & Johnson's office and associate counsel for the defence, took the stand and identified the violin as the one produced in the Jefferson for the detence, took the stand and identified the vicin as the one produced in the Jefferson Market Court.

"The defence rests," said Mr. Palmer, after Mayer had concluded his testimony.

Max Kraemer, a vicilin teacher, who said he had played on the Bott "Strad" fifty or sixty times, was called in rebuttal by the prosecution. The vicilin he vidence was handed to him, and he was asked if it was the vicilin produced in Jefferson Market Court. He said he thought not. It differed in that there was a long crack on the belly of the Bott Strad which was plainly visible. Herdes, the back of the Bott instrument was shinler and the secoll was worn more on the left side.

C. A. Durden, the next witness, said that in his judgment the vicilin was not the one exhibited in the police court. The label was different and two marks which were on the vicilin in the police court were absent. The trul will probably be concluded on Monday.

Emulating counsel in the case, a witness for the people and a witness for the defence got into a light in the corridor last night while court was in session.

DENIES HE WAS A PLAGIARIST. The Rev. T. S. Lee Makes a Statement Concerning that New Haven Poem

The Rev. T. S. Lee of Newark, who made the charges of plagiarism against the Rev. Dr. D. Parker Morgan of this city, and who in turn has been accused of plagiarizing a part of a poem written by the Rev. Dr. S. Dryden Phelps, returned from Easton to Newark last night. He refused to talk on the subject, but wrote out the following statement for publication:

"Dr. Phelps was a prominent pastor in New Haven, and his son, Dryden, was a classmate of mine for two years at the preparatory school. It is absurd to suppose that I would knowingly take several lines of his poem and incorporate them in an ode to be sung on an occasion when Dr. Phelps himself would probably be present, when his son was almost sure to be there, and perhaps a hundred other people familiar with the poems of so prominent a clergyman. It would have been almost as rash an act as purloining from a member of the faculty. I could not have been such a fool as to deliberately imperil my diploma that I had been working four years to secure. I told the truth when I said that I was utterly ignorant of having made such an appropriation until I saw the matter brought out in the New York papers. I think that the intelligent portion of the public will see the reasonableness of written by the Rev. Dr. S. Dryden Phelns, retion of the public will see the reasonableness of this position, although I do not suppose that they care much about the matter anyway. My professional life began four years later."

MRS. WONG HE CHONG'S DEATH

Reasons for Suspecting that the Chinese Woman Did Not Kill Herself,

Coroner Tuthill is beginning to have suspicions that Mrs. Wong He Chong of 206 Eighth avenue did not commit suicide. The analysis of the contents of the stomach shows that the Chinese woman died of poisoning by cyanide of potassium, which was the poison contained in a box her husband said he found in s bux proves to have been one such as is

This box proves to have been one such as is used by jewellers and not by apothecaries, and the druggist's label upon it apparently was placed there to mislead. If the woman got the poison to kill herself with, it is thought, there would be no need of such deception. Detectives are trying to find out where the jeweller's box came from and where the poison came from.

Convicted of Receiving Stolen Kernochan

Andrew J. Anderson, the jeweller of 96 Seventh street, was convicted in the General Sessions yesterday before Judge Newburger of receiving stolen goods. It was charged against him that he received some of the property stolen from the house of James L. Kernochan at Hempstead on Jan. 11 last, He was remanded until Wednes-day for sentence.

Strong to Revisit the Cuyahoga's Banks Mayor Strong is going to penetrate into the heart of the McKinley boom next week. He is going to Cleveland to attend the annual dinner of the Cleveland Chamber of Commerce, he says, and with no malice aforethought as to politics. He will leave on Wednesday and re-turn on Thursday night.

Hood's Sarsaparilla has enjoyed public confidence and patronage from the beginning to a greater extent than was ever accorded any other proprietary medicine, because it possesses greater merit and produces greater cures than any other. It is not what we say, but what Hood's Sarsaparilla does, that tells the story. These are facts easily proven, if you are interested, by asking any dealer in the United States. All advertisements of Hood's Sarsaparilla, like Hood's Sarsaparilla itself, are honest. We have never deceived the public, and this, with its superlative medicinal merit, is why the people have such an abiding confidence in it, and buy it almost to the exclusion of all other Sarsaparillas and blood purifiers.

Hood's Sarsaparilla

WE REMOVE MAY 1 TO 189 BROADWAY, NEAR DEY ST.

To-day we shall offer 250 pairs Men's Russia Calf Lace Boots, \$2.25; fermer price \$6.00 and \$5.00; sizes 5, 5%, 6, 6%, 0, 914, 10, 1014 and 11; every pair must go to-day

We have long and short, slim and wide sizes in French Calf Lace Boots; regular price, \$8.00 and \$7.50; cut price, \$2.50.

Every pair of shoes in our store will be sold at reduced price. This is a chance of a lifetime to buy high grade "Korrect Shape" Shoes for a song.

WE REMOVE OUR ENTIRE BUSI-NESS MAY 1ST TO 189 BROAD WAY, NEAR DEY ST.

THE Burt & Packard Co.,

> 239 BROADWAY, COR. PARK PLACE.

BROOKLYN REPUBLICANS.

Factionists Must Make Peace or There'll Be Trouble at Albany.

The powers at Albany have taken hold of the Republican factionists in Brooklyn, and word was sent down yesterday that, unless they managed in some way to patch up their troubles, the bills in which each side is interested will be hung up indefinitely. This announcement threw the warring statesmen into an immediate flutthe warring statesmen into an immediate flutter, and a "harmony" conference was hastily called and held in Mayor Wurster's private office. Besides the Mayor, Sheriff Buttling, Fresident Clark of the Board of Aldermen, City Works Commissioner Willis, Tax Collector Appleton, John M. Ward, who has just been appointed counsel for the State Excise Bureau in Brooklyn, and Walter B. Atterbury, a delegate to the St. Louis Convention, were present. It seems that some kind of a peace was patched up, for one of the conferees declared last night that the passage of the Bridge and Charities Department Reorganization bills and all the other pending measures of special interest to the Republican politicians would be delayed no longer.

M'KINLEYISM IN BROOKLYN.

The Young Republican Club May Endorse

the Ohlo Man. The Young Republican Club of Brooklyn, which long has been more or less erratic, and has more than once lapsed into Mugwumpism, is to meet on Monday night to take action on the political situation. In accordance with the rules of the organization whatever resolutions rules of the organization whatever resolutions are presented must emanate from the Executive and Advisory Committees. Each of these bodies has already determined to recommend the endorsement of McKinley as the Republican candidate for the Presidency, and it is believed a resolution to that effect will be carried, but not probably without a lively skirmish. Since the retirement of Seth Low from Brooklyn politics the Young Republican Club has been of little account on election day. Most of its members belong to the "administration" faction.

FIRGINIA FOR M'KINLEY. The Ohio Man's Brother-in-law Superintended Affairs.

STAUNTON, Va., April 24.—The Republican State Convention adjourned this afternoon after two days' session. McKinley won easily, and the delegates were instructed for him without reservation. John M. Langston, the negro ex-Congressman, and others were here in the inter-est of the combine against McKinley, but could make no headway. Gen. Joseph Osberne of Massachusetts, McKinley's brother-in-law, was in Staunton during the Convention.

It Is Said These Delegates Are for Cleve-

The Democratic Convention to name district delegates from the Seventh Congress district was held last night in Fisher's Hall, Jersey City. Senator William D. Daiy and ex-Senator Win. D. Edwards were selected without opposition. It is said that they favor the nomination of Cieveland. The delegates were instructed to yote in the State Convention for Allan L. Me-Dermott as one of the four delegates at large.

Judge Depue of Newark has ordered a recount of ballots in the cases of ex-Congressman Thomas Dunn English and ex State Treasurer George R. Gray, who were defeated for places on the Street and Water Board in that city in the election last week. The action is taken for on the Street and Water Board in that city in the election last week. The action is taken for Gray's benefit, there being only forty-one ma-jority against him. Dr. English was defeated by a much larger number.

Vest to Stump Kentucky for the Silverites. LOUISVILLE, Ky., April 24. - An aggressive silver campaign is to be made in Kentucky by the Democrats this year. Senator George G. Vest is coming here on invitation of the State Ri-metallic Lengue and will stump the State In the interest of sliver, Senator Vest was selected as the most available man, in view of the fact that Senator Blackburn has declined firmly to take the stump for free sliver during this cam-

paign. Congressman B. F. Marsh Renominated, BUSHNELL, Ill., April 24. In the Fifteenth Congress District Republican Convention to-day Congressman B. F. Marsh of this city was re-nominated by accloration. Although the dele-gates are uninstructed, it is known that they favor Mckinley.

Nomination Cost Him 81.

COLUMBUS, O., April 24. The first swore statement of campaign expenses under the Garfield Corrupt Practice act was filed with the Secretary of State by W. S. Kerr, who was re-cently nominated for Congress by the Repub-licans of the Fourteenth District. He certifies that his nomination cost him just \$1. Of this 50 cents was seen for railway fare and 50 cents for hotel expenses.

Founders and Patriots of America. Officers were elected at the Hotel Normandie

last night by the order of the Founders and Patriots of America. The membership is limited to persons lineally descended in the male line of either parent from an ancestor who settled in America between 1607 and 1657, and whose intermediate ancestors adhered as patriots to the lievolution. About ninety men joined

whose intermediate anorstors an error as parriots to the Revolution. About hinely menjoined it last night.

The officers elected were: Governor, Col. Fred D. Grant, Deputy Governor, Col. Ralph E. Prime; Transurer, W. W. Goselich; Secretary, Henry L. Morris; State Atterley, M. P. Ferris; Registrar, Howard S. Robbins; Historian, the Rev. Goorre R. Howell; chaplain, Councillors, Henry Hall the Hon, J. J. Belden, Gen. Ferdinand P. Earls, Ed P. Coac, L. C. Hopkins, Clarence L. Collins, John Quincy Adams, Thomas H. Sir ker, and John Winslow. The members of the new organization were the guests of Gen. Earle at dianer.

To Keep Armenians from Importing Arms CONSTANTINOPLE, April 21. The Turkish Sovernment will establish a naval station or the Gulf of Iskanderoon to prevent the imports tion of arms by Armonians, and also to water the forcian squadrons, especially the British. Two forpeds boats, a transport, and four obsolete wooden vessels will be employed on the station. Defensive peaks and watch fowers will be erected on the count of the vilayets Adams and Alepto.

An Agreement on Steamship Rates, LONDON, April 24. - A despatch to the Central News from Hamburg says that the German, American, and British transatiantic steamship companies are about to make a convention to egulate first and second cabin fares from May 1

Crete's Perennial Revolt. ATHENS, April 24. - Advices received here from Crete say that fighting has occurred at Episkopi between Christians and Turks. Fifty persons were killed or wounded and the Cretans have appealed to Greece for assistance. Lines fatices and exclusion decime Fix quaranteed. George G. Brugamin Broadway, cor. 26 801 We offer to day several new lots of freerplaid Suits

Silver Forks and Spoons of Sterling Standard, 925-1000

fine, of good weights and most

desirable patterns, at \$1.10

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FRANCE'S UNENDING CRISIS. Radicals Want Brisson as Premier and

closed. The crowd shouted "Down with the Senate," and attempted to make a rush for the boulevards. They were prevented by the police, who arrested a number of the more demonstrative, several persons were injured. A few reached the boulevards later and paraded and shouted. Lospon, April '14. The Paris correspondent of the Pully Nucs telegraphs that the crisis is the most acute since 1877. She adds that a curious factor is the impending arrival of Prince Ferdinand of Bulgaria rom St. Petersburg.

The Bourgeois Cabinet had provided for his dal reception, and how there is some anxiety French prestige if there should be no tion-ment to receive Russia's new protege, the there is a great deire to form a tablest offer. randly,
President Faure has suggested that Bourgeois
and Sarrien try to form a coalition. Ministry,
Preytral and Policard, whom the President consuited, have refused to attempt to construct a
Cabinet. Men who were present at the last
Cabinet coincil say that the crisis would not be
ended until the National Assembly should meet.

TURNER AND DUNLOP IN COURT. They Had Roon in Burden's Service

LONDON, April 24. William Turner and William R. Dunlop, the Burden diamond burglars, were arraigned in the Marlborough Street Police Court this morning and handed over to the custody of Police Inspector Freest, under an extradition warrant. In the Bow Street Police Court this afternoon they appeared again. A saloon keeper named Lander, a brother-in-law saloon keeper named Lander, a brother-in-law of Turner, testified that the prisoners had lodged at his house. He first saw Turner during Turner's present visit to London on Feb. 19. Turner had just arrived from New York. Dunlob arrived from New York on April 15. Dunlop told him that both he and Turner had been employed in the house of I. Townsend Burden in New York.

The prisoners, who previously had been charged with having stolen Jewels in their possession, are charged now with larceny from the house of Mr. Burden in the jurisdiction of the United States of America.

Turner and Dunlop were remanded pending Turner and Dunlop were remanded pending he arrival of witnesses from America.

THE TRANSFAAL REPOLT. Three Members of the Reform Committee

PRETORIA, April 24.—Col. Rhodes, Lionel Phillips, and George Farrer, members of the Johannesburg Reform Committee who were arrested in Johannesburg and brought here for trial, have pleaded guilty of treason under the first count of the indictment against them. The other members of the committee jointly indicted with Rhodes, Phillips, and Farrar pleaded guilty of less majeste, but without hostile intent, against the independence of the Trans-The case was adjourned until Rhodes, Farrar, and Phillips can prepare and behavior and Phillips can prepare and hand in writ pleas, when the prisoners will be sentenced.

THE POWERS TO THE PORTE. They Tell Tewfik Pasha of Another Violation of Piedges.

CONSTANTINOPLE, April 24.—The dragomans f the German, French, British, Italian, Russian, and Austrian embassies communicated in oncert yesterday to Tewnk Pasha, Minister of Foreign Affairs, that the comination of a Mo-hammedan Governor of Zeitoun was a breach of the scheme of reforms which the Porte had accepted, and called upon the Porte to fulfil its agreement. The dracomans insisted that the matter should be taken under consideration at

Maxton's Successor Elected. DUBLIN, April 24. The election in the North livision of Kerry to fill the vacancy in the House of Commons left by the resignation of Thomas Sexton, anti-Parnellite, took place yes-terday and resulted in the election of Mr. Flavin, anti-Parnellite, without opposition.

Victoria's New Order of Knighthood. London, April 24.—The Gazette announces that the Queen has created a new order of knightness called the Royal Victorian.

\$5,250 for a Plan of Customs Union LONDON, April 24. The Motist's prize of 1,000 guineas for the best scheme of imperial customs union has been divided among G. E. Colmer, Acting Commissioner of Canada, in London, and R. S. Ashton of Kent, England.

Hest Finwer Seeds in America. aughans Grass

ar authority transloque to from Seed

DOG BURIED WITH HONORS.

SIX FIRE PATROL MEN CARRY NERO TO THE GRAPE. A Cross with an Inscription Put at Ira

Hend and Flowers Strewn by Children Over It For Years He Went to Every Hartem Fire—A Buildog Killed Him. Poor Nero is dead. He was a big, black, good-natured Newfoundland dog, and every man, woman, and child from Morningside Heights to St. Nicholas avenue knew and loved him. He was the pet Hancock square and a member of Fire Patrol No. 5, whose house is on West 121st street. He was legally owned by Mr. L. C. Pentez, who ives at 315 West 121st street, but virtually owned by the children of the neighborhood,

of Harlem were his guardians. Nero now lies beneath the sod in the shadow of Morningside Heights. His grave is marked by a floral display seldem equalled by a rich man's funeral. He was laid at rest yesterday afternoon with high honors.

The members of the fire patrol and the firemen

Mr. Pentez brought the dog to Harlem six years ago. Little Willie Pentez introduced Nero to the neighbors' children, and the dog became one of their playmates. They played all sorts of games with him. They hitched him to a wagon, taught him to run at the ringing of a bell, and called him their fire dog. When the boys played "fire" Nero was especially happy. The children could do as they pleased with him. They rode on his back, pulled his ears, fell over him, teased him, squeezed him, taught him to walk on his hind legs and throw

hand springs, as the boys termed it. Three years ago when the fire patrol company was established on the block Nero was ready to become a member of it. The training he had received from the amateur firemen attracted the attention of the members of Fire Patrol No. 5, and Nero got into the habit of going to fires with the men. Soon every fireman in Harlem learned to know him. More than once, it is said, he jumped from s window of Mr. Pentez's flat, which is in the third story, to the sidewalk at the sound of the fire gong ringing a signal in the patrol house a

Radeais Want Brissoa as Presider and Opportunists Constans.

Paris, April 24.—It is announced semi-officially this morning that President Faure would receive the Presidents of the Senate and the Chamber of Deputies at he Palace of the Elysée before considering the formation of a new Ministry.

The Paris newspayers are unanimous in the opinion that yesterday's vote in the Chamber of Deputies upon the question of adjourning the sitting and upon the motion offered by Henry Ricard, realiffring the Chamber's right of prepanderance in the representation of the principle of universal suffrage, has made the constitutional conflict still more acute. The Moderate organs expect that the Chamber will be dissoived.

The Gaulos declares that President Faure is determined to uphold the Constitution despite the rancer of the Secalaites. The Radical news papers declarated revisions. The Radical news papers declarated the revision of the presidency of the republic.

He had the constitution despite the rancer of the Secalaites. The Radical news papers declarated the secane carried and there was much to the Bourgeois Ministry.

President Faure tool as consulted with Loubet, Peytral, Brisson, and Poincare as to the formation of the Senate which resident of the action of the Senate which resident of the action of the Senate which resident of the chamber of Deputies.

The crowd shouted 'Down with the Senate, and the came carried Nero to his last resting mace, the action of the Senate which restricted to the secretary supports and the desoration of the Senate of the Chamber of Deputies.

The Gaulos declares that President Faure is determined to uphold the Constitution despite the restrict the secretary supports and the secretary supports and the secretary supports and the secretary supports and the secretary suppo

Here Lies the Body of NERO. Died April 24, 1896. Loved by all.

The cross was set up at the head of the grave, not then the little mourners went sadly to their homes, while the fire patrol men returned to the headquarters.

WILL EXAMINE DUTCH RECORDS. The Venezuelan Commission Will Send at Agent to the Hague.

Washington, April 24.-The Venezuelan Houndary Commission reassembled to-day, after a recess of ten days. Its most important business was a decision, foreshadowed in these despatches, to send one or more persons to the Their Common Friend Says They Told Him | Hague to examine the original Dutch manuagent or agents was made, however. The Commission discussed the advisability of sending some one to Madrid to inspect the Spanish records, but this matter was left in abeyance for the reason that Venezuela has submitted a large number of certified documents copied from the Spanish archives, and it may be that these fully cover the ground mapped out by the Commission. The Commission will examine these carefully before giving further consideration to the question of sending one of its mem-bers or an agent to the Spanish capital.

An additional mass of testimony in behalf of the Venezuelan claim was filed with the Commission to-day. One series of documents, en titled "Limetas de Guayana," consisted of a compilation by Dr. Siejas of matter published from time to time, but never before collected in one volume. Mr. Scruggs, the Venezuelan counsel, also filed a brief criticising the British Rine Book. A voluminous amount of testimony from Caracas was also presented to the Com-

mission.

The brief presented by Mr. Scruggs answers the various contentions of the British Government as given in the published Blue Book, mainly through historical notations, with comments of his own. He mentions the statement of the Blue Book that in 1596 "Butch settlements were formed near the mouth of the Orispace."

ments of misown. He mentions the statement of the Blue Hook that in 1505. Flutch settlements were formed near the mouth of the Orinoco."

"But," says Mr. Scruggs, "It was precisely in 1505 that Sir Waiter Raleigh made his first voyage to the island of Trinidad, and thence through Boco de Navois up the Orinoco to the mouth of the Caroni. He reported that, after first overcoming the Spanish force at Trinidad, he ascended the great river as stated, where he found the Spaniards had previously traversed the whole country; that they the Spaniards had been 'cruel to the Indians; that he midde friends of the Indians, and tool them he had come to deliver them from their Spanish conquerors and oppressors. And yet it is gravely asserted in the Blue Book that in 1506 the Spaniards did not then hold any part of timavana, and a carefully selected it will not say garbied 'extract' from a letter of Bon Rouge de Montes, the Spanish colonial Treasurer at Cumana, is produced to prove this.

"But even this carefully selected extract proves just the contrary. The writer says he had 'instructed Capt. Felips de Santiago' of the Spanish service to 'assertation discussion' of the Spanish service to 'assertation discussion' of the Spanish service to 'assertation discussion' and arrest two Englishmen whom histogla had left there' as sples and informers, and 'to advise the Indian chiefs not to admit ar receive any foreigners even to part and that the Indians were warned against the intrusion of any more foreigners. If the Spanish and heat the Indians were warned against the intrusion of any more foreigners. If the Spanish of the lower Orinoco, and, in fact of the winds of western Gunyana, how were they adde to arrest the only foreigners found there, and to warn the Indians against shadar species of the trarest and the future?

A second chapter consulers the boundary question from the date of the Unglish acquisities in the future?

Did a Woman Throw the Bomb!

NEW HAVEN, April 24. Detectives are investigating the mysterious bomb explosion that wrecked Major Albee's house in Westville last night and nearly caused the death of himself and daughter. They found to day that a woman carrying a mysterious pursage under her cloak left an electric car near his house last night and returned again shortly after the ex-plosion. They are searching for the woman, No motive for the deed is known.

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Hose, Belts, Carters, etc., etc. Some Men's Spring Overcoats, Clay Diagonal Coats and Vests and some Hoys Suits, slightly damaged by water and smoke, we have marked at very low figures to dispose of them.

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THE OPERA BENEFIT.

Stirring Scenes and Great Eathusiasm at the Metropolitan Last Evening. Last night was practically the official ending of the opera season, for many of the leading

benefit to Messrs. Abbey and Grau.

The fourth act of "La Favorita" was sung by Mme. Mantelli and Messrs. Cremonini and Arimondi, the orchestra led by Mr. Saar. Plancon was to have sung the part of Baldasars, but was prevented from doing so by a cold. The artists were several times recalled and loaded with wreaths and honouets.

singers of the company sail for Europe to-day

The performance took the gracious form of a

The third act of "Carmen" followed and gave to Mmes. Calvé and Saville, Messrs, Lubert and Ancona an excellent opportunity to find out in what cordial esteem they are all held here. All put forth their most earnest efforts and succeeded in stirring the audience to loud demonstrations of approval. After the curtain fell there were numerous recalls for the prin-cipals and for the excellent and indispensable Mile. Bauermeister. Signor Bevignani conducted.

The scintillating second scene of the second act of "Falstaff" came next, and brought the accustomed success to Maurel with his irresistible "Quand' ero paggio." It also once mure demonstrated the charming comedy of Mmes. Saville and Beeth and the humor of Scalchi and Kitzu. In this scene Cremonini and Campanari, Arimondi, Rinaldini, and Vanni also distinguished them-elves by their vivacity. The whole cast, together with Sig. Seppilli, had to line themselves up before the curtain a half dozen times after the act to receive the congratulations of the audience. How to describe the singing of the "Lucia" mad scene by Mmc. Melba and the ovation she received after it would require more adjectives than there is space for. As she finished it the house broke out into one vast resounding cheer, renewed again and again. In a few moments the stage was car-

peted with wreaths and bouquets of all colors and designs, the most noticeable being a huge

green and white crown with a gilded bird cage containing a canary. Following this sensation was witnessed a spectacle the like of which has never been seen on any operatic stage of which we have knowledge. It was the singing of the Soldiers' Chorus from "Faust" by all the members of the company saving Russiano and Maurel logether with the entire chorus. The great prime donne stood in the middle of the line, arm-in arm, as amicable as you please a regular happy family. The lesser lights were on either side, with the men to right and left of the stage, chorus and band bringing up the rear. At the conclusion of the scene the enthusiasm in the house burst all bounds, and after the chorus had been repeated two deputations of prima donnas left the stage and returned leading Abbey and Grau, each bearing a parchment roll containing an address of friendship signed by the whole company. on any operatic stage of which we have

address of friendship signed by the whole company.

The third act of "Alda," which succeeded this sensation, proved by no means an anti-climax, for Mine. Nordica and Messe, Jean de Recke and Kaschmann were all in exceptionally fine voice and did some memorably fine singing. Mile. Obtaka and M. Castlemary did what little fell to their portion in this scene with their usual ability. Herr scald conducted, and with the three-leading singers was recalled many times to the footing singers was recalled many times as the last act of "Faust" sung by Melba and the De Resykes as only they The grand finale was the last act of "Farst," sung by Melba and the be Reszkef, as only they consing it. At the end of the immortal trio the enthusiasm burst all bounds. It was repeated and cheered again until the people were hourse. After several appearances before the curtain the be Reszkes gracefully pushed the prima donna forward and shut the dear on her, so that she might have her good-by all for hereif.

Nearly the entire audience remained to pay tribute to the marvellous artist, and for many minutes the air was white with waving hand-kerchiefs, while the rafters fairly rang with the noise of the glad enthusiasm.

The Opera Orchestra Dines Its Minager. The members of the Metropolitan Opera House prehestra gave a dinner last Thursday night at the Aschenbrodel Verein, in Fast Fighty-sixth street, in honor of Alexander Bremer, the orchestral manager for Abbey, Schoeffel & Grau, They presented to Mr. Bremer a mamm ch silver and cut glass ink-tand, designed by Tiffany, it was engraved with the usual testimonial of regard and a musical staff, with the words and music of "For He's a Jolly Good Fellow."

EXPRESS COMPANY ROBBED.

One of Its Drivers Stole Goods Intrusted to Him for Delivery.

William Kipp, a driver in the employ of the Knickerbocker and Kings County Express Company, who was arrested Thursday night by Centrai Office detectives for robbing his employers, was arraigned before Magistrate Wentworth in the Jefferson Market Police Court yesterday. H. C. Butcher, the manager of the company, said that Kipp had stolen nearly \$7,000 worth of goods. He told the Magistrate that the express company had been missing bundles from its wagons for more than aix months, and trait once two crates of provisions, weighing and rounds each had been stolen. The company, lessifiched been forced to settle the claims for missing goods.

said, had been forced to settle the craims for anid, and been forced to settle the craims for missing goods.

He suspected Kipp, and when the latter reported recently that a package containing two misrs of trousers had been stolen from his wagon Mr. Butcher northed Capt O'Brien of his suspicions. On Thursday night Detectives Valley and O'Connell went to Kipp's room at 40% West Skiy-second street, and they found there two pawn thekets for the missing trousers. When they arrest d him he confessed his guilt. The prisoner was held in \$1,000 ball for trial.

STEPHEN BEDELL'S SWEETHEARS She Causes His Arrest for Alleged Larceny.

Stephen Redell, a special policeman in Brooks lyn, was to have been married to Miss Annie Amends at her home, 104 Logan street, but he didn't turn up, to the disappointment of the bride and her foundly and the surprise of many invited guest.

The inquiries which followed convinced Miss Amenda that Bedell intended to jilt her, especially as he had shaved off his moustache and otherwise disgrised him arrested and arraigned yesterday in the states Avenue Police Court for grand love. grand larceny. She atleges that he had retained Sit which she gave him to spend for things for housekerding, and had obtained her gold water and ring besides. Justice Harriman heid Hedei in S500 ball. A suit for breach of promise of marriage will also probably be brought.

Mr. and Nrs. A bert Best and Miss Best sail on the fr. and the North territors Loyd line to day, intended to travel in Italy until it is time for Mr. Bust to dash, the saint best at the Interests of the iron, limit a to the Interests of the iron, limit a to the Interest of the iron, limit a to to Farlis and London. They will re-

LIPSE, and thus protect there signate all GERM
LIPSE it is a PUBE SOLL TION, and will not disarrange the most delicate stomach. BY DRUG.
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